

EXHIBIT A

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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE DISTRICT OF ARIZONA**

10 James Oliver Romine Jr.,

11 Plaintiff,

12 vs.

13 James Nicholas Stanton,

14 Defendant.
15

No. 2:16-cv-00604-JJT

**DECLARATION OF JAMES
NICHOLAS STANTON IN SUPPORT
OF MOTION TO DISMISS**

16 I, JAMES NICHOLAS STANTON, hereby make the following declaration:

17 1. I am over the age of 18 and I am competent to testify regarding the matters set
18 forth herein.

19 2. I make this Declaration in support of Defendant's Motion for Dismiss the libel
20 claims brought against me by James Oliver Romine Jr. based on an article I wrote and
21 published online on September 24, 2015 (the "Article"), and Tweets that I sent from my
22 Twitter account (the "Tweets").

23 3. I make this Declaration based on my own personal knowledge, except as to those
24 matters testified to on information and belief, and if called upon as a witness, I could and
25 would competently testify thereto.

26 4. A true and correct copy of the Article is attached hereto as Attachment 1. The
27 Article has been annotated to identify the statements about which Plaintiff complains.

1 5. True and correct copies of the Tweets are attached hereto as Attachment 2.

2 6. I am a video game critic, pundit, and entertainer operating my business under the
3 pseudonym Jim Sterling. I review video games online and discuss current issues surrounding
4 video games, often advocating for customer rights and admonishing decisions made by large
5 game manufacturers.

6 7. I distribute my commentary and criticism through a weekly YouTube video
7 series, *The Jimquisition*. I also operate *Best of Steam Greenlight Trailers*, where I watch and
8 comment on poorly made video games or games that have been sold using unaltered, pre-
9 purchased assets (for which I coined the now popular term “asset flipping”).

10 8. I also play and react to different games released on Steam, a video game
11 distribution network based in Washington State.

12 9. I also produce *itch.io tasty*, an online channel where I play and comment on
13 various video games available from the game distributor itch.io.

14 10. I also produce *Nitpick Theater*, a comical series featuring exaggerated rants about
15 minor inconveniences.

16 11. I express an interest in social issues through my work, often speaking in favor of
17 more diversity within the game industry and its products.

18 12. My name and video game review services are well-known in the industry. I have
19 approximately 133,000 Twitter followers and *The Jimquisition* has over 250,000 viewers per
20 weekly episode

21 13. My business is supported entirely by crowd funding, meaning that individuals
22 voluntarily elect to support my business through donations.

23 14. Individuals can choose to donate to support my business through Patreon, which
24 bills itself as the world's largest crowdfunding site for artists and creators.

25 15. A donation is not required in order to access my reviews, videos and online
26 content. Nevertheless, I receive approximately 4,000 individual donations each month.

27 16. I do not solicit donations from any particular state or jurisdiction and I am not
28

1 aware if individuals from the State of Arizona have or have not donated to support my
2 business.

3 17. The videos and articles I produce are available worldwide on the Internet. My
4 audience has no specific or majority basis in Arizona or any other state.

5 18. I am a resident of Brandon, Mississippi.

6 19. I provide all of my services from my principal and only place of business in
7 Brandon, Mississippi.

8 20. I do not conduct any business in Arizona.

9 21. I do not own any real estate, personal property or other assets in Arizona.

10 22. I do not maintain any offices, employees, equipment, records, accounts,
11 salespersons, or agents in Arizona.

12 23. I do not sell anything in Arizona or to the State of Arizona.

13 24. I have never even been to Arizona.

14 25. On information and belief, Plaintiff James Romine is a citizen and resident of
15 Arizona.

16 26. On information and belief, James Romine and his brother, Robert Romine, reside
17 in Yuma, Arizona and are managing members of Digital Homicide Studios L.L.C., an Arizona
18 limited liability company ("DHS").

19 27. A true and correct copy of the records of DHS from the Arizona Corporation
20 Commission are attached hereto as Attachment 3. The records show that Plaintiff James
21 Romine and his brother, Robert Romine, are managing members of DHS.

22 28. DHS is a video game developer that has distributed its games through Steam.

23 29. I have reviewed DHS video games online and have given them some unfavorable
24 reviews. For example, on November 1, 2014, I posted a "first impression video" with an
25 unfavorable review of DHS's *The Slaughterhouse Grounds*, a game distributed on the Steam
26 gaming services.

27 30. In response to my unfavorable video review, DHS reposted my video with
28

1 subtitles responding to and refuting my commentary. Afterwards, I posted a rebuttal video with
2 my own commentary. Thereafter, DHS responded with a copyright infringement claim and a
3 take-down notice to the web site company hosting my video. The issue was ultimately
4 resolved in my favor and the video review remains online. However, it is clear to me that DHS
5 remains unhappy with the negative review.

6 31. After my negative review of *The Slaughterhouse Grounds*, I came upon two
7 Steam games produced under the name “ECC Games” – *Galactic Human* and *Devil’s Share*.

8 32. While playing *Galactic Human* and *Devil’s Share* I noticed similarities between
9 the games and the earlier DHS *The Slaughtering Grounds* game. Based on similar content and
10 artwork, I concluded that these “ECC Games” had originated from DHS, but were being
11 distributed under an alias name.

12 33. I also discovered that “ECC Games” is actually the name of a real gaming
13 company located in Poland. A copy of the ECC Games website is attached hereto as
14 Attachment 4.

15 34. On about September 24, 2015, the real ECC Games contacted me to make clear
16 to me and my followers that they had no connection with the games being distributed by DHS
17 under the “ECC Games” moniker. A true and correct copy of the email is attached hereto as
18 Attachment 5.

19 35. In the email, Doroto Muzynska of ECC Games writes, “We would like to inform
20 that we are not designers nor producers of “Galaxy Hitman” nor “Devils Share” games that
21 have been published on Steam. We probably fell victim to a people previously known as
22 Digital Homicide. We have already taken legal actions aimed at ceasing infringement of ECC
23 Games rights.”

24 36. Upon receiving the email I wrote the Article that is the subject of this lawsuit,
25 which describes the alias “ECC Games,” how the “ECC Games” games appear to originate
26 from DHS, how DHS was able to distribute games through Steam using an alias that was the
27 name of a legitimate gaming company unrelated to DHS, and how the real ECC Games
28

1 company had told me by email that it was taking legal action against DHS.

2 37. I write in the Article that it is based on my discoveries and conclusions, stating
3 “Digital Homicide’s latest shenanigans are confusing and based on several allegations, so I
4 cannot present everything in this article as verified fact.” See Attachment 1.

5 38. I am appalled that my opinions and writings on the subject of DHS, its games,
6 and its use of an alias on the Steam service to distribute its games can serve as a basis for a
7 libel lawsuit. As a writer and entertainer, I am well within my legal right to express my
8 opinions, disclose my discoveries, and be part of online commentary regarding video game
9 companies like DHS and video game distribution services like Steam. The Article is clearly
10 protected speech and use of words like “chicanery,” “the Wet Bandits,” “weirdness” and
11 “weeeeird” to describe DHS is clearly opinion.

12 I declare under the penalty of perjury under the laws of the United States of America
13 that the foregoing is true and correct to the best of my knowledge and belief.

14 Executed on this 2nd day of May, 2016 in Brandon, Mississippi, U.S.A.
15

16
17 By: 
18 James Nicholas Stanton

ATTACHMENT 1

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ATTACHMENT 1

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Digital Homicide And The Case Of The Sockpuppet Developers

📅 September 24, 2015 (<http://www.thejimquisition.com/digital-homicide-and-the-case-of-the-sockpuppet-developers/>) 👤 Jim Sterling (<http://www.thejimquisition.com/author/jim/>) 📁 Editorials n' Stuff (<http://www.thejimquisition.com/category/editorial/>)

Watchers of my YouTube channel (<https://www.youtube.com/user/JimSterling>) will know that I love to record myself playing random games on Steam. Sometimes I stumble upon a gem, but more than likely I find something awful – the most famous of which was Digital Homicide's *The Slaughtering Grounds* (<https://www.youtube.com/watch?v=S6s0Wpn1zmU>). After that company's infamous meltdown and litany of terrible releases, it had gone very quiet for a while.

So quiet, in fact, that when I played *Galactic Hitman* and *Devil's Share*, I had no idea I was playing yet more Digital Homicide games, although their poor quality should have been a surefire clue. This was because both these awful experiences were published by ECC Games... or were they?

See, there *is* an ECC Games, but it's sure as hell not the company publishing crappy first-person shooters to Steam.



(<http://www.thejimquisition.com/wp-content/uploads/2015/09/dig4.png>)

Digital Homicide's latest shenanigans are confusing and based on several allegations, so I cannot present *everything* in this article as verified fact. However, due to digging around by myself and several users on Steam, we appear to have a pretty clear picture of the company's latest, bizarre get-rich-quick scheme.

We at least can verify the "ECC Games" presenting itself on Steam (which I am going to call Faker-ECC because I like a good *Masters of the Universe* reference) is Digital Homicide, thanks to a page (<https://archive.is/8EF15>) in which *Galactic Hitman* is listed as belonging to the notorious Romino brothers.

The screenshot shows the Steam store page for the game "Galactic Hitman". The page layout includes a navigation bar at the top with links like "SALENAUTS", "PRICETRACKER", "GAMES", "NEWS", "FREEBIES", "FORUM", and "ABOUT". Below the navigation bar is a search bar and a "Log in through STEAM" button. The main content area features the game's title "GALACTIC HITMAN" in a blue header. Below this is a large image of the game's cover art. To the right of the cover art, there are two boxes: "CURRENT LOWEST PRICE" and "LOWEST PRICE RECORDED", both showing a price of \$1.79. Below these boxes are statistics: "1 users own it", "0 users want it", "#5319 most owned", and "? most wanted". The "GAME INFO" section lists the genres as "Action, Indie" and the release date as "2015/08/17". The "Developer Name" is listed as "Gham, Digital Homicide Studios". The "CURRENT DEALS" section shows a table with columns for "GAME TITLE", "STORE", "DRM", "CURRENT PRICE", "RETAIL PRICE", "CUT", and "LOCAL PRICE". The table lists "Galactic Hitman" with a current price of \$1.79, a retail price of \$1.99, a 10% discount, and a local price of \$1.79. The "BUNDLES THAT INCLUDE THIS GAME" section at the bottom states "There are no bundles containing this Game."

GAME TITLE	STORE	DRM	CURRENT PRICE	RETAIL PRICE	CUT	LOCAL PRICE
Galactic Hitman	STEAM	DRM	\$1.79	\$1.99	10%	\$1.79

(<http://www.thejimquisition.com/wp-content/uploads/2015/09/dig.png>)

You can watch video footage of *Devil's Share* (<https://www.youtube.com/watch?v=1x4NWJgBuyQ>) and *Galactic Hitman* (<https://www.youtube.com/watch?v=lvXTV5F8DTA>) by clicking those prior links – they carry all the classic hallmarks of a Digital Homicide production. The assets are all store-bought, they're both hideous to look at, interactively generic, unfinished, and broken in some significant way. The only difference is the rebranding of the developer – surely a response to the fact that James and Robert Romino know their prior company's name is mud on Steam these days.

"Count 7" Stmt.

"Count 1" Stmt.

It's also worth noting that *Galactic Hitman's* artwork has been taken from elsewhere, just like the initial art for *The Slaughtering Grounds* was. You can see the original imagery here (http://laslof.deviantart.com/art/Daddy-D-382624242#_=_), which Faker-ECC may have purchased from Shutterstock. Does DH even *have* a single artist?

[**Note:** Initially I suggested Digital Homicide just took the image from a Deviantart artist without permission, not knowing it was also sold on Shutterstock. The text has been edited to reflect this.]

The story, of course, doesn't end here. Digital Homicide seemingly has a *third* sockpuppet company, Micro Strategic Game Designs. MSGD recently got *Attrition: Nuclear Domination* (<http://store.steampowered.com/app/392870/>) through Steam Greenlight. It looks terrible – obviously – and was recently removed from the Digital Homicide Complete Pack Bundle (https://steamdb.info/app/392870/history/#_=_), demonstrating its link to the infamous studio.

The image shows a screenshot of the Steam page for the game 'Attrition: Nuclear Domination' (App ID 392870). The page lists the developer as 'Micro Strategic Game Designs' and the publisher as 'Micro Strategic Game Designs'. It shows the game's release date as '22 days ago' (September 2, 2015) and its last depot update as 'about a month ago' (August 8, 2015). The game is described as a 3D missile command style game versus up to nine other AI opponents. Below the Steam page, the 'History' section on SteamDB is visible, showing a change in the changenumber from 1257498 to 1258710, and a note that the app was removed from the 'Digital Homicide Studios Complete Pack'.

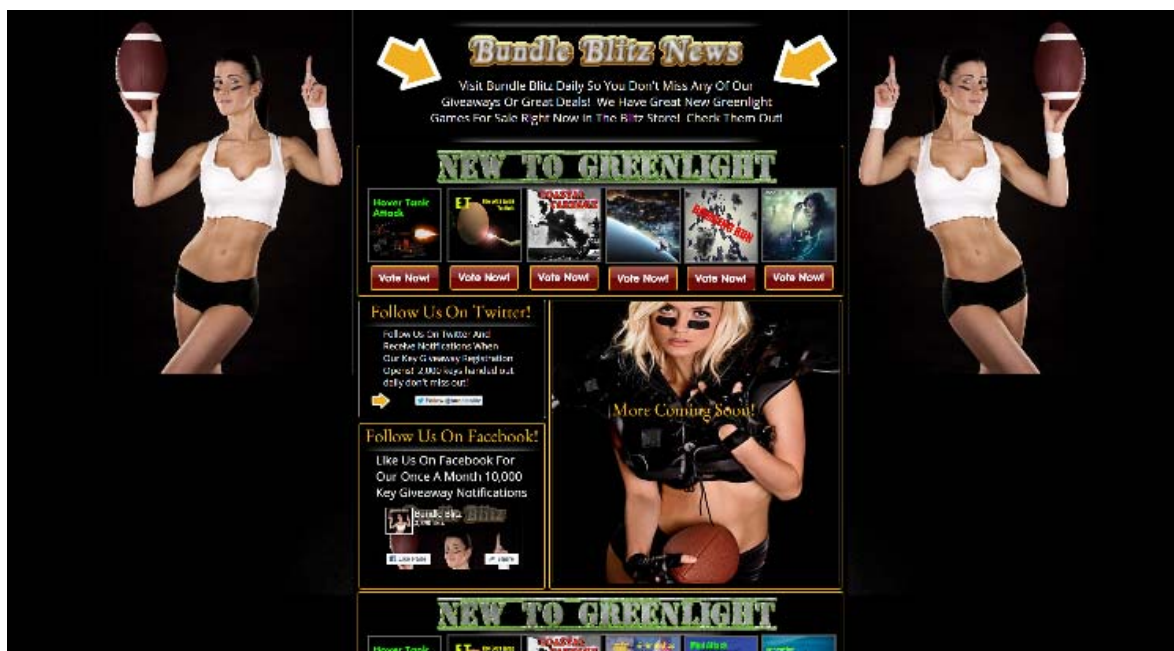
(<http://www.thejimquisition.com/wp-content/uploads/2015/09/dig2.png>)

Previously, the studio has been linked to another developer – Bob Middleton – engaging in shady vote-rigging (<http://www.thejimquisition.com/2015/08/steam-vote-rigging-and-shady-connections-the-curious-case-of-bob-middleton/>) for the game *Clickerton Heroes*. Whether or not Digital Homicide and Middleton are the same entity is yet to be determined, but people have their suspicions.

The Rominos seem to have a vested interest in getting crap past Steam Greenlight. As well as helping two-bit developers trade Steam keys in exchange for Greenlight votes, Digital Homicide has offered support in the past to other developers I've criticized – apparently attempting to form some sort of support group for fragile egos.

Speaking of which, Digital Homicide also appears to be behind a new website, BundleBlitz (<http://www.bundleblitz.com/>), a code giveaway site with a special interest in Steam Greenlight hopefuls. BundleBlitz heavily featured *Nuclear Attrition* recently, though I'm still looking into a definitive link.

Still, their font of choice sure looks familiar (<http://store.steampowered.com/app/329950/>).



(<http://www.thejimquisition.com/wp-content/uploads/2015/09/dig3.png>)

Anyway, it's time to get to the really juicy part. Remember when I said that *Devil's Share* and *Galactic Hitman* were published under the name ECC Games? Well, there actually is an ECC Games, and it sure as shit wasn't the company uploading crap games to Steam.

A Polish mobile game company by the name of ECC Games reached out to me via email explaining it has absolutely no link to Digital Homicide, and its claim most certainly seems to check out. Its own website (<http://eccgames.com/>) features a whole host of mobile

games, along with a full-fledged team of Polish developers. It also has a Twitter account (<https://twitter.com/eccgames>) which, prior to now, has no history of mentioning either *Devil's Share* nor *Galactic Hitman*.

"Count 4" Stmt.

"We would like to inform that we are not designers nor producers of *Galaxy Hitman* nor *Devils Share*, games that have been published on Steam," said ECC producer Dorota Muzynska. "We probably fell victim to a people previously known as Digital Homicide. We have already taken legal actions aimed at ceasing infringement of ECC GAMES rights."



(<http://www.thejimquisition.com/wp-content/uploads/2015/09/dig5.png>)

"Count 3" Stmt.

When you can name yourself literally *anything* on Steam, it's impossible to know who is a legitimate developer and who isn't, as we've seen with the case of Faker-ECC. Apparently you don't need to prove your company's legitimacy or even *existence*, since it's all based on usernames. Here, we've seen it lead to potential legal trouble for the folks who rebranded and accidentally defamed a completely different studio.

"Count 2" Stmt.

Someone on Twitter asked me how they "got away" with calling themselves ECC Games. The fact is, they didn't have to "get away" with anything, at least not as far as Steam is concerned. Once again, Valve's lack of oversight makes it easy to just call yourself ECC Games, regardless of who is *actually* allowed to trade under that name.

Digital Homicide's official channels have maintained radio silence for months (https://twitter.com/dig_homicide), seeming to operate solely through these sockpuppet companies. Being as sly as the Wet Bandits, however, it hasn't taken long for the Internet to dig up their latest sleazy shenanigans.

"Count 6" Stmt.

At some point, this "studio" is going to have to realize it is neither talented enough to

become a producer of good games, nor clever enough to trick us into believing it is.

That's not going to happen today though, and its recent chicanery may lead it into very real legal trouble.

"Count 5" Stmt.

Devil's Share (<http://www.thejimquisition.com/tag/devils-share/>)

Digital Homicide (<http://www.thejimquisition.com/tag/digital-homicide/>)

ECC Games (<http://www.thejimquisition.com/tag/ecc-games/>)

Editorial (<http://www.thejimquisition.com/tag/editorial/>)

Galactic Hitman (<http://www.thejimquisition.com/tag/galactic-hitman/>)

Indie (<http://www.thejimquisition.com/tag/indie/>)

Legal Shit (<http://www.thejimquisition.com/tag/legal-shit/>)

Liars Who Lie (<http://www.thejimquisition.com/tag/liars-who-lie/>)

Steam (<http://www.thejimquisition.com/tag/steam/>)

The Slaughtering Grounds (<http://www.thejimquisition.com/tag/the-slaughtering-grounds/>)

366 Comments

The Jimquisition

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Donovan Jackson • 4 months ago

Digihom is back! - Or maybe his reincarnation from...Germany?

<http://steamcommunity.com/work...>

Please visit this game on Greenlight, If you genuinely like it, VOTE YES, but please read my thread (Demon Sword)

Perhaps I am a witch hunter, but I prefer "Consumer Advocate"
As a Green light developer myself, I am striding to have 'Honesty' and "Integrity" on Steam.

Because people like this may one day cause us to lose the opportunity
that is Greenlight

◀ The Official #FuckKonami T-shirt Is Here! (<http://www.thejimquisition.com/the-official-fuckonami-t-shirt-is-here/>)

Podquisition Episode 44: David Cameron F*cked A Pig ▶ (<http://www.thejimquisition.com/podquisition-episode-44-david-cameron-fcked-a-pig/>)

NEW STUFF

The Jimquisition: Newtendo (<http://www.thejimquisition.com/the-jimquisition-newtendo/>)

Sega 3D Classics Collection Review – Altered Beef (<http://www.thejimquisition.com/sega-3d-classics-collection-review/>)

Ratchet & Clank Review – Lombax To Basics (<http://www.thejimquisition.com/ratchet-clank-review/>)

Podquisition Episode 75: The Masturbatorium Chronicles
(<http://www.thejimquisition.com/podquisition-episode-75-the-masturbatorium-chronicles/>)

The Jimquisition: Crunch (<http://www.thejimquisition.com/the-jimquisition-crunch/>)

CATEGORIES

Reviews (<http://www.thejimquisition.com/category/reviews/>)

The Jimquisition (<http://www.thejimquisition.com/category/thejimquisition/>)

Podquisition (<http://www.thejimquisition.com/category/podquisition/>)

Editorials n' Stuff (<http://www.thejimquisition.com/category/editorial/>)

ROOT THROUGH MY GARBAGE



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[SHOP \(HTTP://SHARKROBOT.COM/COLLECTIONS/JIMQUISITION-MERCH\)](http://sharkrobot.com/collections/jimquisition-merch)

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ATTACHMENT 2

2

ATTACHMENT 2

ATTACHMENT 2

Home Moments Search Twitter Have an account? Log in



Jim Sterling
@JimSterling
Ultra Greed.
Joined November 2008

Jim Sterling @JimSterling

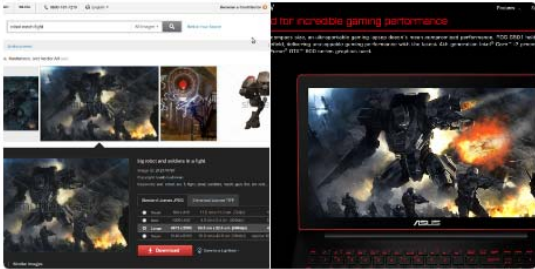
I wrote an article on everything we know about the Digital Homicide/ECC Games weirdness. thejimquisition.com/2015/09/digita...

RETWEETS 57 LIKES 155

5:05 AM - 24 Sep 2015

simon @simbiotiqu - 24 Sep 2015

@JimSterling the artist you linked to mentioned the put it up on shutterstock. Dev might have bought the rights



4

kyle chapman @kchapman1988 - 24 Sep 2015

@jimsterling Not about their obsession with your devilishly handsome self?

1

Dragon's Advocate @T_Frain_K - 24 Sep 2015

@JimSterling Popcorn required for reading?

1

David Adams @Evilproduct - 24 Sep 2015


@JimSterling Digital Homicide: Jim-Senpai gives Konami-san all the attention now. Notice me again Senpai!!

1


Senpai @Senpai_Bot_ - 24 Sep 2015

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Jim Sterling
@JimSterling
Ultra Greed.
Joined November 2008



Jim Sterling
@JimSterling

"Count 9" Stmt

According to the email, this ECC Games is pursuing legal action against Digital Homicide for using its name. Not enough popcorn on Earth.

RETWEETS 59 LIKES 390

4:09 AM - 24 Sep 2015

⏮️ ↻️ ❤️ ⋮

Mhykul @Spamcatt · 24 Sep 2015
@JimSterling The plot thickens..

⏮️ ↻️ 1 ❤️ 3 ⋮

Nick Piers @NickPiers · 24 Sep 2015
@JimSterling I've said it once, I'll say it again: Digital Homicide is the gift that keeps on giving. Because they're idiots.

⏮️ ↻️ ❤️ 4 ⋮

Jonathan McCabe @Toilet_shogun · 24 Sep 2015
@JimSterling HIT THE LEVER

⏮️ ↻️ ❤️ 3 ⋮

Robert Koganov @TH3xR34P3R · 24 Sep 2015
@JimSterling Oh this is going to be a good episode when you make it lol

⏮️ ↻️ ❤️ 4 ⋮

John Sinderman @JSinderman · 24 Sep 2015
@JimSterling I can't even. Can we be sure Digital Homicide isn't some sort of brilliant performance art troupe?

⏮️ ↻️ ❤️ 3 ⋮

Show more

ToxicPenguin @a_toxic_penguin · 24 Sep 2015
@JimSterling Time for them to cry another river of salt. And I like salt!

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ATTACHMENT 3

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ATTACHMENT 3

ATTACHMENT 3

eCorp



L19322421

Corporation Name:

DIGITAL HOMICIDE STUDIOS L.L.C.

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Corporate Inquiry



File Number

L19322421

Corporation Name

DIGITAL HOMICIDE STUDIOS L.L.C.

Standing

Check Corporate Status

Domestic Address



12494 IRONWOOD DR.
YUMA, AZ 85367

Statutory Agent Information



Agent Name: JAMES O ROMINE JR

Agent Mailing/Physical Address:

12494 IRONWOOD DR.
YUMA, AZ 85367

Agent Status: APPOINTED 06/11/2014

Agent Last Updated: 06/17/2014

Additional Entity Information



Entity Type: DOMESTIC L.L.C.	Business Type:
Incorporation Date: 6/11/2014	Corporation Life Period: PERPETUAL
Domicile: ARIZONA	County: YUMA
Approval Date: 6/17/2014	Original Publish Date:

Manager/Member Information



Name	JAMES O ROMINE JR
Title	MANAGER
Address	12494 IRONWOOD DR. YUMA, AZ 85367
Date of Taking Office	
Last Updated	06/17/2014
Name	ROBERT ROMINE
Title	MANAGER
Address	12494 IRONWOOD DR. YUMA, AZ 85367
Date of Taking Office	
Last Updated	06/17/2014

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Click on a gold button below to view a document. If the button is gray, the document is not yet available. Please check back again later.

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ARTICLES OF ORGANIZATION

6/11/2014

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AZ CORPORATION COMMISSION
FILED

JUN 11 2014

FILE NO. L19322421

DO NOT WRITE ABOVE THIS LINE. RESOURCES FOR AZC USE ONLY.

ARTICLES OF ORGANIZATIONRead the Instructions **LD101****1. ENTITY TYPE** - check only one to indicate the type of entity being formed:
☒ **LIMITED LIABILITY COMPANY**
 (entity name must contain the words "Limited Liability Company" or "LLC")

☐ **PROFESSIONAL LIMITED LIABILITY COMPANY**
 (entity name must contain the words "Professional Limited Liability Company" or "PLLC")
2. ENTITY NAME - see Instructions **LD101** for full naming requirements - give the exact name of the LLC:Digital Homicide Studios L.L.C.**3. PROFESSIONAL LIMITED LIABILITY COMPANY SERVICES** - If and only if professional LLC is checked in number 1 above, describe the professional services that the professional LLC will provide (e.g., accounting, law firm, accounting, medical):

4. STATUTORY AGENT for service of process - see Instructions LD101	
4.1 REQUIRED - give the names (can be an Arizona resident or an Arizona-registered entity) and physical or street address (not a P.O. Box) in Arizona of the statutory agent:	4.2 OFFEROR - mailing address in Arizona of Statutory Agent (can be a P.O. Box):
Statutory Agent Name <u>James O. Reine Jr.</u>	
Address (optional) <u>12494 Ironwood Dr.</u>	Address (optional)
Address 1	Address 1
Address 2 (optional) <u>Yuma</u>	Address 2 (optional)
City <u>Yuma</u>	City
State <u>AZ</u>	State <u>AZ</u>
Zip <u>85367</u>	Zip
4.3 REQUIRED - the Statutory Agent Acceptance form M002 must be submitted along with these Articles of Organization.	

5. ARIZONA KNOWN PLACE OF BUSINESS ADDRESS:**5.1** Is the Arizona known place of business address the same as the street address of the statutory agent? ☒ Yes - go to number 6 and continue☐ No - go to number 5.2 and continue**5.2** If you answered "No" to number 5.1, give the physical or street address (not a P.O. Box) of the known place of business of the LLC in Arizona:

Address (optional)	
Address 1	
Address 2 (optional)	
City	State or Province
Country <u>U.S.A.</u>	Zip

6. **DURATION** - If the duration or life period of the LLC is perpetual (forever), then skip this section and continue to number 7 or number 8. Otherwise, check only one box below and fill in the corresponding blank:

- ☐ The LLC's life period will end on this date: _____ (enter a date)
- ☐ The LLC's life period will end upon the occurrence of this event: (describe an event)
- _____
- _____

COMPLETE NUMBER 7 OR NUMBER 8 - NOT BOTH.

7. **MANAGER-MANAGED LLC** - see *Instructions 1010* - check this box ☒ If management of the LLC will be vested in a manager or managers (meaning one or more managers will run the company) and complete and attach **ONLY** the **Manager Structure Attachment form 1040**. (Both members and managers will be listed on the Manager Structure Attachment.) *The filing will be rejected if it is submitted without the attachment.*

8. **MEMBER-MANAGED LLC** - see *Instructions 1010* - check this box ☐ If management of the LLC will be reserved to the members (meaning all members will run the company together if there is no operating agreement stating otherwise), and complete and attach **ONLY** the **Member Structure Attachment form 1041**. (All members will be listed on the Member Structure Attachment.) *The filing will be rejected if it is submitted without the attachment.*

9. **ORGANIZERS and SIGNATURE** - the individual or pre-existing entity submitting this document is the Organizer - list the name of the Organizer below. If the Organizer is an individual, that individual must sign below. If the Organizer is a pre-existing entity, provide the signature of the individual acting for that entity, then print the individual's name.

The person signing below declares and certifies under penalty of perjury that the information contained within this document together with any attachments is true and correct, and is submitted in compliance with Arizona law.

Organizer: James O. Romine Jr.

James O. Romine Jr. 6/9/14

Signature _____ Date _____

James O. Romine Jr.

Printed Name (if different from Organizer) _____

Filing Fee: \$50.00 (regular processing) Expedited processing - add \$35.00 to filing fee. All fees are non-refundable - see Instructions.	Mail: Arizona Corporation Commission Corporate Filings Section 1300 W. Washington St., Phoenix, Arizona 85007 Fax: 602-542-6100
--	--

Please be advised that A.C.C. fees reflect only the minimum providers required by statute. You should seek private legal counsel for those matters that may pertain to the individual needs of your business.
 All documents filed with the Arizona Corporation Commission are public records and are open for public inspection.
 If you have questions after reviewing the Instructions, please call 602-542-2888 or (toll-free in Arizona only) 800-848-6100.

DO NOT WRITE ABOVE THIS LINE; RESERVED FOR ACC USE ONLY.

MANAGER STRUCTURE ATTACHMENT

1. **ENTITY NAME** - give the exact name of the LLC (foreign LLCs - give name in domicile state or country):

Digital Homicide Studios L.L.C.

2. **A.C.C. FILE NUMBER (if known):**

Put the A.C.C. file number on the upper corner of filed documents OR on our website at: <http://www.azcc.gov/Divisions/Corporations>

3. **MANAGERS / MEMBERS** - give the name and address of each and every manager and list all members who own 20% or more of the profits or capital of the LLC. Use one block per person. Members who own less than 20% may also be listed, but it is not required. Check the appropriate box or boxes below each person listed - do not check both member boxes. If more space is needed, use another Manager Structure Attachment form.

1. Name <u>James O. Rohne, Jr.</u>	2. Name <u>Robert Romo</u>
Address 1 <u>12494 Ironwood Dr.</u>	Address 1 <u>12494 Ironwood Dr.</u>
Address 2 (optional) <u>Yuma</u>	Address 2 (optional) <u>Yuma</u>
City <u>USA</u>	City <u>USA</u>
State or Province <u>AZ</u>	State or Province <u>AZ</u>
Zip <u>85367</u>	Zip <u>85367</u>
Country <input checked="" type="checkbox"/> 20% or more member <input checked="" type="checkbox"/> Manager <input type="checkbox"/> Less than 20% member	Country <input checked="" type="checkbox"/> 20% or more member <input checked="" type="checkbox"/> Manager <input type="checkbox"/> Less than 20% member
Name	Name
Address 1	Address 1
Address 2 (optional)	Address 2 (optional)
City	City
State or Province	State or Province
Zip	Zip
Country <input type="checkbox"/> 20% or more member <input type="checkbox"/> Manager <input type="checkbox"/> Less than 20% member	Country <input type="checkbox"/> 20% or more member <input type="checkbox"/> Manager <input type="checkbox"/> Less than 20% member
Name	Name
Address 1	Address 1
Address 2 (optional)	Address 2 (optional)
City	City
State or Province	State or Province
Zip	Zip
Country <input type="checkbox"/> 20% or more member <input type="checkbox"/> Manager <input type="checkbox"/> Less than 20% member	Country <input type="checkbox"/> 20% or more member <input type="checkbox"/> Manager <input type="checkbox"/> Less than 20% member

DO NOT WRITE ABOVE THIS LINE (RESERVED FOR A.C.C. USE ONLY)

STATUTORY AGENT ACCEPTANCE*Please read Instructions H2021*

1. **ENTITY NAME** – give the exact name in Arizona of the corporation or LLC that has appointed the Statutory Agent:

Digital Homicide Studios LLC.

2. **A.C.C. FILE NUMBER** (if entity is already incorporated or registered in AZ):
Find the A.C.C. file number on the upper corner of filed documents OR on our Website at: <http://www.azcc.gov/OnlineCorporations>

3. **STATUTORY AGENT NAME** – give the exact name of the Statutory Agent appointed by the entity listed in number 1 above (this will be either an individual or an entity):

James O. Romine Jr.

- 3.1 Check one box: ☒ The statutory agent is an individual (natural person).
☐ The statutory agent is an Entity.

STATUTORY AGENT SIGNATURE:

By the signature appearing below, the individual or entity named in number 3 above accepts the appointment as statutory agent for the entity named in number 1 above, and acknowledges that the appointment is effective until the entity replaces the statutory agent or the statutory agent resigns, whichever occurs first.

By checking the box marked "I accept" below, I acknowledge under penalty of perjury that this document together with any attachments is submitted in compliance with Arizona law.

☒ I ACCEPT

James O. Romine Jr. James O. Romine Jr. 6/5/2014
Signature Printed Name Date

REQUIRED – check only one!

- ☒ **Individual as statutory agent:** I am signing on behalf of myself as the individual.
☐ **Entity as statutory agent:** I am signing on behalf of the entity named as statutory agent, and I am authorized to act for that entity.

Filing Fee: none (regular processing) Expedited processing – (must be filed with this form to be submitted by itself) and \$35.00 in filing fee. All fees are non-refundable – see instructions.	Mail: Arizona Corporation Commission – Corporate Filings Section 1300 W. Washington St., Phoenix, Arizona 85007 Fax: 602-542-4100
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Please be advised that A.C.C. forms reflect only the minimum provisions required by statute. You should seek private legal counsel for those matters that may pertain to the individual needs of your business.
 All documents filed with the Arizona Corporation Commission are public record and are open for public inspection.
 If you have questions after reading the instructions, please call 602-542-2000 or (within Arizona only) 800-345-2000.

ATTACHMENT 4

4

ATTACHMENT 4










ATTACHMENT 4



Tweets by @eccgames

LET'S SEE WHAT WE HAVE

PRODUCTS

 <p>Galaxy Dwellers Category: Games, Release: Coming soon</p>	 <p>Dive for Honour: Cold War Category: Games, Release: July 30, 2014</p>	 <p>Empire Manager Category: Games, Release: July 30, 2014</p>
<p>GALAXY DWELLERS Coming soon...</p>	<p>DIVE FOR HONOUR: COLD WAR Dive for Honour is a realistic submarine experience during the Cold War. Take control over the nuclear class ship and develop your own unique strategy to defend your freedom. Experience the atmosphere of deeps in world-saving campaign or feel the thrill of multiplayer combat!</p>	<p>EMPIRE MANAGER Empire Manager will put you in control of one of 3 glorious nations. Will you rule with an iron fist conquering your opponents strategically on the battle field? Maybe you will focus on your nation's productivity and lead your people to build a world wonder ensuring your empire never be forgotten? Diplomacy is always an option.. but it comes at a</p>
 <p>Tower Dwellers Category: Games, Release: November 19, 2013</p>	 <p>Dive for Treasures Category: Games, Release: June, 2013</p>	 <p>Roll in the Hole Category: Games, Release: October 6, 2011</p>
<p>TOWER DWELLERS Tower Dwellers is a unit crafting tower defence that features lots of micromanagement and keeps the player engaged in the battle throughout the entire game. Conquer through battle and reclaim the land you once called home!</p>	<p>DIVE FOR TREASURES We were hit by a terrifying storm. The ancient Mayan treasure went down with the ship. Now the treacherous waters are swarming with pirates... Captain! You're our last hope. Get ready for the adventure of your life. It's time to Dive for Treasure!!</p>	<p>ROLL IN THE HOLE When the gorillas steal the ice cream, it's time to get rollin'. Guide the adorable panda into each portal while collecting the frozen sweets along the way in this unforgettable physics-based puzzler. Simple to play but tough to master, you'll be screaming for ice cream along with the rest of us.</p>
 <p>Zombies Ate My Baby Category: Games, Release: October 4, 2010</p>	 <p>Puzzle Craft Category: Games, Release: Q1, 2013</p>	 <p>4 Kids Colors Category: Entertainment, Release: Oct 13, 2010</p>
<p>ZOMBIES ATE MY BABY You better prepare yourself for the great amount of fun! Defend yourself from the</p>	<p>PUZZLE CRAFT Puzzle Craft is a relaxing puzzle game developed by our friends Ars Thanea Games and published by Chillingo.</p>	<p>4 KIDS COLORS 4KidsColors – is an excellent colorful game for your child. The game is also friendly to the youngest children.</p>

hordes of zombies in the greatest action game on your iPhone/iPod. Enjoy the high quality comics who will lead you through the entire game. Be the best in survival mode!

Eccentricity Games was responsible for preparing Android and Windows Phone 8 versions.

ArcoColors will allow your child to develop his or her imagination and learn colors. Wonderful graphics and joyful sounds will ensure your child fun for a long time.

CHECK WHAT WE DO

SERVICES



GAMES PRODUCTION

Our main goal is to create high-quality games. You will find more about our games in 'Products'.



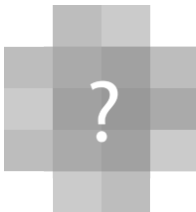
PORTING HOUSE

We offer outsourcing solutions to a wide range of video game publishers and developers.



ADVERTISING GAMES

We offer a complete service for the production of advertising games.



SPECIAL TASKS

We are very flexible. Do you have any special task? Contact us, we surely can help.

MEET US, FIND US

CONTACT



Piotr Wątrucki
CEO
Games Producer



Jakub Traczyk
Technical Director



Jakub Jamiol
Senior Artist



Marcin Macharzewska
Programmer



Hubert Bibrowski
Games Producer
Eccgames Canada



Michał Tomaka
Designer
Reborn Creative Lab



Piotr Kowalski
Programmer



Piotr Roswag
Senior Programmer



Jerzy Sokołowski
Game Designer



Dorota Muzyńska
Games Producer



Rafał Majzer
Animator
Technical Support



Daria Widermańska-S
Artist

ADDRESS

ECC GAMES Sp. z o.o.
NIP / VAT: PL5252599944
REGON: 147481416
KRS: 0000540727
Wysokość kapitału
zakładowego 1 180 000.00 zł.

Office:
ul. Mierosławskiego 23
01-567 Warsaw
POLAND

BUSINESS

For business related enquiries
please contact:
b2b@eccgames.com

CUSTOMER SUPPORT

If you experience a problem
with downloading, installing,
buying or using our products
or services please contact:
support@eccgames.com

ATTACHMENT 5

ATTACHMENT 5

5

ATTACHMENT 5

Digital Homicide case

Index X

Dorota Muzynska ECC GAMES <dorota@eccgames.com>

to Jim

Hello Jim,

My name is Dorota Muzynska and I am producer in ECC Games Ltd. (please visit <http://eccgames.com>). According to your YouTube video called "GALACTIC HITMAN - Galactic Shitman" we have received many messages informing us that this game is created by people who present themselves as "ECC Games".

We would like to inform that we are not designers nor producers of "Galaxy Hitman" nor "Devils Share" games that have been published on Steam. We probably fell victim to a people previously known as Digital Homicide. We have already taken legal actions aimed at ceasing infringement of ECC GAMES rights.

Best regards,

-- Dorota



Dorota Muzynska
Producer
+48 531 258 016

ECC GAMES
Mienoslawskiego 23
01-567 Warsaw
<http://eccgames.com>



Niniejsza wiadomość zawiera informacje zarchiwizowane i stanowiłyce tajemnicę.
ECC GAMES Sp. z o.o. i/lub inna nie jest odpowiedzialna za treść wiadomości.
The following message includes information constituting a business secret
of ECC GAMES Sp. z o.o. Third parties' access to this message is forbidden.

Jim Sterling <jim@theinquisition.com>

to Dorota

Hi there,

Thanks for reaching out to me!

I've written an article on all these shenanigans lately: <http://www.theinquisition.com/2015/09/digital-homicide-and-the-case-of-the-sock-puppet-developers/>

Thanks again!

Jim

Dorota Muzynska ECC GAMES <dorota@eccgames.com>

to Jim

Hi again,

Thank you for your help. We really appreciate it.

All the best,

-- Dorota

W dniu 24.09.2015 o 14:08, Jim Sterling pisze: